



Minutes
Clarendon County Council
Regular Council Meeting
September 13, 2010, 6:00 P.M.
F.E. DuBose Career Center Auditorium
Manning, South Carolina

COUNCIL MEMBERS PRESENT:

1. County Council Chairman Dwight L. Stewart, Jr.
2. County Council Vice-Chairman W. J. Frierson
3. County Councilman A.C. English, Jr.
4. County Councilman Billy Richardson
5. County Councilman Benton Blakely

**COUNTY STAFF MEMBERS
PRESENT:**

- Mia R. Jackson, Clerk to County Council
- William F. Houser, County Administrator
- David W. Epperson, County Attorney
- Linda P. Lemon, Director of Human Resources
- Lynden Anthony, Finance
- Bob Dennis, Water & Sewer Dept.

MEDIA PRESENT:

Bobby Baker, The Item Newspaper
Cathy Gilbert, Clarendon Citizen

- I. Chairman Stewart called to order at 6:02P.M.
- II. Invocation was performed by Councilman Richardson
- III. Pledge of Allegiance was recited in unison.
- IV. **Approval of Council Agenda:** Motion made by Vice-Chairman Frierson, seconded by Councilman Richardson to approve the September 13, 2010 Agenda as presented. ***Motion carried unanimously.***
- V. **Approval of Regular Meeting Minutes from August 9, 2010:** After Council was given an opportunity to review the minutes of August 9, 2010 meeting, Chairman Stewart asked council if there were any comments or revisions to the minutes. With no reply Chairman Stewart entertained a motion at that time. (Minor grammatical errors were noted and corrected prior to meeting.) **ACTION:** Motion made by Councilman English, seconded by Councilman Blakely to accept the August 9, 2010 minutes as presented. ***Motion carried unanimously***
- VI. **Public Hearing:** Chairman Stewart convened the Public Hearing at 6:05P.M. Administrator, William Houser, presented before Council Ordinance No. 2010-09: The Revised Clarendon County Solid Waste Management Plan. Mr. Houser reminded council that during the August council meeting, each councilman was given a copy of the entire ordinance to review. He stated that SC Department of Environmental Control (DHEC) requires each county to adopt and update their Solid Waste Management Plan every 10 years. Mr. Houser told Council that Alliance Engineers, Inc. has been working with the County Engineer, Mark Blackmon to revise this plan in order to present it to Council

for approval. Once passed, the ordinance would be provided to DHEC. Chairman Stewart thanked Mr. Houser and advised the public during the August 9, 2010 regular Council meeting; this ordinance was presented and successfully passed first reading. Chairman Stewart asked Council if there were any questions or discussions before opening the floor to the public; with no reply he opened the floor at 6:07P.M. to the public. **No one from the public stood with questions, comments, or discussion on this matter.** **There being no further business under Public Hearing, Chairman Stewart closed the public hearing at 6:08P.M and reconvened the Regular Council Meeting.**

No action taken during Public Hearing

- VII. **Third Reading:** Ordinance No. 2010-09, To Authorize the County to Revise and Amend an Ordinance(s) pertaining to the Clarendon County Water and Sewer Department; and Other Related Matters. Chairman Stewart reminded Council that this ordinance has passed two successful readings and a public hearing. He turned the floor over to Administrator Houser who reviewed the content of the ordinance. Mr. Houser reminded Council that this ordinance would condense and replace 13 previous ordinances passed during the 2008-2009 council meetings. He stated to council that this ordinance would also provide cohesiveness and consistency for the Water & Sewer Department and the addendums would meet the requirements made by USDA. Administrator Houser reviewed the additions to the ordinance: (1) institution of a meter rate fee of \$26.50 and (2) the requirement for homes with irrigation systems to have or install a "back flow valve." Mr. Houser explained the valve would prevent contaminated water from drains and underground sprinkler systems to run back to the main water lines. After thanking Administrator Houser, Chairman Stewart entertained a motion to accept the third reading of Ordinance No. 2010-09.

Prior to a motion, Councilman Blakely asked, "Are we working with Manning with any of this?" (Councilman Blakely was referring to the Waterline system project currently underway with the City of Manning.) Chairman Stewart replied to Councilman Blakely statement that Clarendon County is working with the City of Manning in some aspects of the water line project which will be discussed later in the meeting, however for their Waterline project, he replied, no. He advised Councilman Blakely that the City of Manning is implementing a Waterline into another area, into the Alcolu and Hwy 261 (Paxville) area. Chairman Stewart again stated that he would entertain a motion for third and final reading of this ordinance.

ACTION: Motion made by Vice-Chairman Frierson, seconded by Councilman Richardson to accept Third and final Reading of Ordinance No. 2010-09. ***Motion carried unanimously.***

- VIII. **Second Reading:** Ordinance No. 2010-10, To Authorize the County to adopt the revised Clarendon County Solid Waste Management Plan. Chairman Stewart reminded council that this was the ordinance Administrator Houser explained during the Public Hearing, which successfully closed and now before them for action. He then entertained a motion for second reading of the ordinance.

ACTION: Motion made by Councilman English, seconded by Councilman Richardson, to accept Second Reading of Ordinance No. 2020-10. ***Motion carried unanimously.***

- IX. **Consideration of Resolution,** Authorizing Clarendon County to purchase and develop 4.9 acres of Real Property to be used for Administrative Purposes; and to expend capital funds needed to accomplish same and other Related Matters. County Attorney, David Epperson presented this resolution to Council. He advised Council that a similar resolution was presented at the June 14, 2010 council meeting. Attorney Epperson advised that in preparation for closing, the seller's attorney has requested a revised resolution that he felt gave more clarity to the seller's position in the sale. Attorney Epperson assured council that he has reviewed the resolution and he finds no problems with considering the resolution as presented to council. He stated the previous resolution is very similar to the resolution before them. Chairman Stewart asked Mr. Epperson if we currently had a contract for purchase at that time. Attorney Epperson advised council that yes, currently the county is in the process of acquiring the 4.9 acres of property, which was formally known as the Bi-Lo building. After no further questions from council, Chairman Stewart entertained a motion.

ACTION: Motion made by Councilman Blakely, second by Council English to accept the Resolution that would Authorize Clarendon County to purchase and develop 4.9 acres of Real Property to be used for Administrative Purposes. ***Motion carried unanimously***

- X. **Consideration of Resolution,** Authorizing County Council or its designee to execute a funds transfer out of General Unrestricted Unreserved fund into Capital Projects Fund to satisfy Capital Project Expenditures. Controller, Lynden Anthony presented this resolution to council. He began by thanking council and stated that the resolution before them now, is in relation to the resolution on the previous property. He stated briefly to council that the 4.9 acres of property, along with the Weldon Auditorium

Project final phase requires Clarendon County to expend some funds to purchase the property and assist with the completion of the said project. Mr. Anthony reminded council that the resolution authorizes the funds to be transferred from an unreserved, unrestricted fund within Clarendon County. With no questions or concerns to Mr. Anthony, Chairman Stewart entertained a motion for this resolution.

ACTION: Motion made by Councilman Richardson, seconded by Councilman Frierson, Authorizing Clarendon County or its designee to execute a funds transfer in the amount of \$800,000 from the Unrestricted, Unreserved fund to the Capital Project fund, to satisfy Capital Project Expenditures. ***Motion carried unanimously.***

- XI. **Presentation:** State of South Carolina Forestry Commission (SCFC), Harvey Belser and Gene Kodama presented to council a check in the amount of \$70,029.25. Mr. Belser thanked council again this year for allowing the Forestry Commission to present this check to them. Mr. Belser gave a brief overview and insight on the SC State Forestry Commission. He stated to council and the public that 70% of SC is forestry land. He pointed out that it funded over 2.5Billion dollars in wages last year, it provided jobs for 84,000 throughout SC

last year, and Forestry is the number 1 export of South Carolina. He advised council that Clarendon County has 17.5 Million in economic impact because of forestry. Mr. Belser also advised council and the public that the SCFC no longer has a Fire Rescue Team that stands alone, as they did in the past. He also mentioned that at this time there are 92,000 acres of Forestry and 1.0million dollars is generated in Clarendon County each year. Mr. Belser advised that although the SCFC check presented today included revenue from Hunting, Fishing, and Forestry Fees, the majority of the funds derived from Forestry. (After a few pictures were taken, Chairman Stewart accepted the \$70, 029.25 check, which was given to Mia Jackson, Clerk) Before moving to the next item on the agenda, Controller Anthony reminded Council approval was needed to divide the funds equally among the three school districts and forward to them.

ACTION: Motion made by Councilman English, seconded by Councilman Richardson (and Blakely) to authorize County Administrator or his designee to divide and transfer the funds presented by SCFC to Clarendon School District 1, 2, and 3. ***Motion passed unanimously.***

XII. **Requests: (2)**

1. CCTC- At approximately 6:22PM. Clarendon County Council convened the Clarendon County Transportation Committee Meeting. County Administrator, William Houser presented before council a funds request in the amount of \$210, 000. He advised council that currently, Weldon Auditorium is underway and it is doing very well. He advised council that with the budget on Weldon, the county will need to pay for the paving of the parking lot at the auditorium. He stated to council that since Weldon is under the County it be would able to utilize the county portion of the C-Fund money to expend on any County maintained road or street. Mr. Houser asked for \$200,000 in order to complete the parking lot paving at the Weldon auditorium and \$10,000 to complete repairs and repave a portion of Maple Street (adjacent to Weldon Bldg.). With no further questions or concerns,

ACTION: Motion made by Councilman Richardson, seconded by Vice-Chairman Frierson to allow the County Administrator, or his designee to utilize \$210,000 of the County's 75% of the C-Funds to complete paving projects in regards to Weldon Auditorium. Approximately 6:25PM. CCTC Adjourned.

2. Travel: (a) **Vicki Williams**, Grants Administrator requested to attend the Annual National Conference of the American Association of Grant Professionals, held on November 3-6th in St. Petersburg Beach, Florida. (b) **Bobbi Adams**, Assistant Grants Coordinator made 2 separate requests for the Sheriff's Department: (1) Kipp Coker, Deputy with the Sheriff's Department, to attend the National Crime Enforcement Association's Pro-Active Patrol Seminar on Sept. 26-Oct. 1st. The conference will be held in Valdosta, GA. (Travel reimbursed by grant funds) (2) Donnie Dross and Scott Danback, Sheriff's Department, request to attend the International Narcotics Interdiction Association class "Wiretap Investigations and Telephone." The dates of travel requested are November 9th thru November 13th. Mr. Houser advised council that this class will also be reimbursed through grant funds. **Prior to a motion being made**, Councilman Blakely asked about the request made for the four (4) vehicles for the Sheriff's Department. Mr. Houser advised Councilman Blakely that USDA awarded

the four (4) vehicles and when the disbursement came and letter of conditions was presented to council, it is for two (2) vehicles instead of four (4). USDA stated that they originally thought they would have enough funds to grant award funds for 4 vehicles, however the money "ran-out" and they could only provide for two (2).

ACTION: Motion made by Vice-Chairman Frierson, seconded by Councilman Richardson to approve the three (3) travel requests by Vicki Williams and Bobbie Adams.

- XIII. **Administrator's Report:** County Administrator William Houser gave his monthly financial report which is included below:

➤ **Clarendon County Finances**

As of August 31, 2010

Year to Date Revenue	\$838,357	or	5%
Year to Date Grant Funds	\$48,399		
<u>Year to Date Expenditures</u>	<u>\$2,811,164</u>	<u>or</u>	<u>15%</u>
Remaining Budget	\$15,104,363		

➤ **Clarendon County Water & Sewer**

As of August 31, 2010

TOTAL Operating Revenue	\$57,297 (Water & Water Treatment)
TOTAL Operating Expenses	-\$60,075 (Supply, Treatment, Gen. Admin)
<u>TOTAL Loss/Depreciation</u>	<u>-\$2,779 (Loss) +-\$5,880 (Depreciation)</u>
TOTAL	(-\$8,659)

➤ **C-Fund Report**

As of August 31, 2010

Cash Balance	\$963,225
Project Commitments	Local \$164,820
	State \$451,571
<u>Commitments of Cash balance</u>	<u>-\$616,391</u>
Uncommitted Balance	\$346,834

After his financial report, Administrator Houser gave an update on the various county initiatives. Weldon Auditorium: the chairs arrived earlier that day and during his daily inspections he sees great improvement. He stated that the audio & visual should be completed by October 15th. The carpet and tiles were laid down and he hopes the project will be completed in time for the first event of the Nutcracker in December. The Hwy 260 Water project: He stated that the USDA project manager had been replaced and currently we had a new representative which is going well. He stated that he hoped to begin opening for bids in the coming weeks; and the county is almost ready to begin preparation for phase II. At that time Clarendon Citizen Reporter, Cathy Gilbert asked Mr. Houser, "How many people have signed up at this time?" Mr. Houser replied and stated 210. Mr. Dennis, Director of the Water & Sewer Dept. interjected and asked Ms. Gilbert that when she writes her editorial if she could mention that they are still accepting applications. Finally, Mr. Houser discussed the success of the E-Waste Day at the Manning High School on Saturday, September 11th. He stated that he didn't have the exact tonnage, he knew that they had to leave a trailer of items behind and come back for them this week because of the large amount of E-Waste collected. That concluded his report.

- XIV. **Chairman's Report:** Chairman Stewart advised council that his report was included in the council packets for their review.

Chairman Stewart stated that he would entertain a motion to enter into Executive Session. Prior to the motion: Vice-Chairman Frierson stated that he wanted to recognize some of the citizens he saw in the audience and thank them for attending the meeting. Councilman Blakely stated that those present were residents of Brogdon Road and had a few questions for council. Chairman Stewart stated that although they were not on the agenda he would allow them to talk briefly. Mrs. Adrian Harvin of Brogdon Road stood and thanked council for her time to talk. Mrs. Harvin began by stating that for many years, even when she was a little girl that she remembers her family asking about the paving of Brogdon Road and still today nothing has been done. Attorney Epperson responded and stated that his office has sent 3 notices to the residents on the road and many of them have not replied. He stated that he talked to one man who lives on the road and he told him that, "When he bought on that road it was a dirt road and he wanted it to stay a dirt road." Ms. Harvin continued and stated that she has a bed ridden sister and it is hard to get the cars in and out on that road. Vice-Chairman Frierson asked, "Didn't we ask for research on what Williamsburg County was doing, something without easements?" Mr. Houser responded and advised council that what Williamsburg County is doing is paving the roads they own without an easement. He stated somehow they own a large majority of the dirt roads, and since they own them there is no need for an easement. In conclusion Ms. Harvin understood what the process is and she along with the citizens came together and began an initiative to try and complete the list of needed easements. She asked that once all the easements have been received could there be a way to give Brogdon Road priority on the list for paving. She stated that she will be in contact with Ms. Jackson to arrange a way to obtain a copy of the easements so that she can assist in getting them executed. Chairman Stewart thanked the people of Brogdon Road and continued to the next item on the agenda.

- XV. **Executive Session:** At 6:52P.M. A motion by Vice-Chairman Frierson, seconded by Council Blakely to enter into Executive Session to discuss: (1) Contractual matter-Economic Development, (2) Contractual matter- Water & Sewer Department, (3) Contractual matter- Bond Issuance, (4) Legal matter-Litigation.

- XVI. **Return to Open Session:** At 9:10P.M. Motion made in unison to return to open session by County Council. Chairman Stewart stated that council was given some information and an opportunity to discuss some matters. At that time Chairman Stewart advised the public that council now may take action on some of the items discussed:

Contractual Matter with Water and Sewer Department: (1) **the Bulk Water Rate Agreement** with the City of Manning. This will authorize the County Administrator to enter into and execute an agreement with the City of Manning regarding the Bulk Water Rate Fee. **ACTION:** A Motion was made by Vice-Chairman Frierson, seconded by Councilman English. ***Motion carried unanimously.***

(2) **The Impact Fee Agreement with the City of Manning.** This will authorize the County Administrator to enter into and execute an agreement with the City of Manning for their charge for an impact fee. The fee will be paid quarterly as customers come online to the system. **ACTION:** A motion was made by Councilman English, seconded by Vice-Chairman Frierson to authorize the County Administrator to enter in to and execute the Impact Fee agreement with the City of Manning. ***Motion carried unanimously.***

(3) **The Renewal Agreement for service maintenance.** The service agreement is with the City of Manning to continue maintenance on the Wyboo Water System for Clarendon County. **ACTION:** After discussion in executive session, a motion was made by Councilman Richardson, seconded by Vice-Chairman Frierson to extend the service contract for an additional 12 months with the City of Manning. ***Motion carried unanimously.***

(3) **Contractual Bond Ordinance-** Ordinance No. 2010-11 is a bond that authorizes the Issuance of General Obligation Bonds in one or more series to be used to fund one or more capital projects; and -Other Related Matters. This ordinance will assist in the funding of Capital Projects throughout Clarendon County. After a briefing in Executive Session, Council was ready to consider the Ordinance as presented. **ACTION:** A motion was made by Councilman English, seconded by Councilman Richardson to accept Ordinance No. 2010-11 as presented to Council. ***Motion carried unanimously.***

(4) **Contractual Economic development:** During Executive Session, Council was briefed on a prospective Economic Development within Clarendon County by Attorney David Epperson. John Trulock, Clarendon County Economic Development Board Director presented information to council regarding this endeavor earlier. He explained one way to encourage companies and a business to invest in Clarendon County is through FILOT Agreement (Fee in Lieu of Tax). At this time the prospective project name is Project Pegasus which is protected under the FIOA. Council was presented with Ordinance No. 2010-12 for first reading. This ordinance would allow Clarendon County to authorize a FILOT Agreement with Project Pegasus.

ACTION: Motion made by Councilman Richardson, seconded by Vice-Chairman Frierson to accept first reading of Ordinance No. 2010-12. ***Motion carried unanimously***

Prior to Adjourning, Councilman Blakely advised that the citizens in the Alcolu area have some concerns about the water system coming into their area. Vice-Chairman Frierson advised Councilman Blakely that the Water System closest to the Alcolu area is a project with the City of Manning. The resident, Ms. Parker, would need to call City of Manning and speak with the City Administrator, Rebecca Rhodes. Chairman Stewart stated that he believed the Manning Water Project runs down to Hotel Street in Alcolu, but concurred that it would be best for them to speak with the City of Manning.

XVII. **Adjournment:** After the agenda was exhausted and no further business to discuss, a motion by Councilman English, seconded in unison to conclude and adjourn the September 13, 2010 Clarendon County Council meeting.

There being no further business, Council adjourned at 9:20P.M. without objection.

Respectfully Submitted

By: Mia R. Jackson
Mia R. Jackson, Clerk to Council

Approved: October 11, 2010

By: _____
Dwight L. Stewart, Jr., Council Chairman

CERTIFICATION OF PUBLIC AND MEDIA NOTIFICATION

I, Mia R. Jackson, Clerk to Council, Clarendon County Council, Manning, South Carolina, do hereby certify that public and media notification of the County Council Meeting of September 13, 2010, was given prior thereto by the following means:

PUBLIC NOTIFIED: Yes

MANNER NOTIFIED: Agenda placed on the bulletin board in the Clarendon County Courthouse and the Clarendon County Website

DATE POSTED: September 10, 2010

MEDIA NOTIFIED: Yes

MANNER NOTIFIED: Agenda emailed to THE MANNING TIMES, THE ITEM, THE CLARENDON CITIZEN and THE FLORENCE MORNING NEWS

DATE NOTIFIED: September 10, 2010

PUBLIC HEARINGS Advertised in THE ITEM on August 25, 2010.

ADVERTISED:

Respectfully submitted,

Mia R. Jackson

Mia R. Jackson, Clerk to

Council